

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13th DAY OF FEBRUARY 2006, AT 6:50 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug Marrs	
	John A. Muffo	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers	-Planning Director
	Karen Edmonds	-Human Resource Director
	Angie Hill	-Financial & Management Services Director
	Marc Mcgruder	-Budget Manager
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Annette S. Perkins	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business= or industry=s interest in locating or expanding its facilities in the community.

1. Project # 2006-001

- (1) Discussion , Consideration or Interviews of
Prospective Candidates for Employment; Assignment,
Appointment, Promotion, Performance, Demotion, Salaries,
Disciplining or Resignation of Specific Officers, Appointees
or Employees of Any Public Body
 1. Adjustment & Appeals Board
 2. CPMT
 3. Industrial Development Authority
 4. Parks & Recreation Commission
 5. Transportation Safety Commission

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Doug Marrs		
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Steve L. Spradlin		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Gary D. Creed		
Steve L. Spradlin		

CERTIFICATION OF CLOSED MEETING

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs
James D. Politis
John A. Muffo
Gary D. Creed
Doug Marrs
Steve L. Spraldin

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins

ABSENT DURING MEETING

Annette S. Perkins

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Rezoning Request – Kim Ridpath and Donald Gatton

Kim Ridpath & Donald Gatton request to rezone 0.5 acres from Agriculture (A-1) to Community Business (CB), with possible proffered conditions, to allow a barbershop and residential use. The property is located at 3881 Riner Road, and is identified as Tax Parcel No. 119A-A-4 (Acct # 001732) in the Riner Magisterial District (District D). The property currently lies in an area designated as Village (Riner) in the Comprehensive Plan.

The Planning Director provided a brief overview of the request. The applicants' request to rezone .05 acres from agriculture to community business in order to operate a barber shop and residential use. The applicants are planning to reside at the proposed location and operate a barbershop. Under the current zoning of agriculture, the applicant could operate a single chair barbershop as a home occupancy; however, the applicant wishes to have the opportunity for expansion if business increases. The anticipated impacts of this rezoning are expected to be minimal. The property currently lies in an area designated within the Riner Village Expansion Area, which encourages mixed-use development. Currently the area is predominately residential but will become more commercial in the future.

At their January 11, 2006 and February 8, 2006 meetings, the Planning Commission recommended approval to the Board with the proffer that the property will be rezoned for only the four following uses:

- a. Apartment as accessory use, maximum of two per business structure.
- b. Pet, house-hold.
- c. Retail sales and services, less than 3000 sq. ft.
- d. Barbershop.

Supervisor Creed asked the Planning Director to define the use of Pet, house-hold. Would this use allow for a commercial pet grooming business in the future. The Planning Director explained that this use only allows the resident to own a household pet, it is not intended for any commercial business. The County Attorney confirmed that the rezoning with the limited uses would not allow for any commercial business relating to animals such as pet grooming. A special use permit would be required if the applicant chooses to change the nature of business to any type of animal or pet grooming at this location.

Kim Ridpath and Donald Gatton, applicants, addressed the Board regarding their request. They stated that they only want to operate a small barbershop with retail sales. They have no intent to operate a pet grooming business.

Charlie Bowles considers this request to be spot zoning and urged the Board to stop rezoning residential housing for commercial use. He also requested that a deceleration lane be constructed since the barbershop is located along a portion of Rt. 8 that is considered dangerous.

Supervisor Politis requested the Board consider adding this request to the agenda for consideration.

There being no further speakers, the public hearing was closed.

Proposed Ordinance – Changing the F-2 Polling Precinct from Kipps Elementary School to the Blacksburg Middle School

Proposed Ordinance changing the F-2 Precinct polling place from Kipps Elementary School located at 2801 Prices Fork Road in the Town of Blacksburg, County of Montgomery, Virginia, to the Blacksburg Middle School located at 3109 Prices Fork Road in the Town of Blacksburg, County of Montgomery, Virginia.

The County Attorney provided a brief explanation of the request to change the polling precinct from Kipps Elementary School to Blacksburg Middle School. School officials at Kipps Elementary requested the Electoral Board consider moving the F-2 polling precinct from Kipps Elementary to Blacksburg Middle School due to space and safety concerns. During primary and special elections, the school remains open. They are not able to use their cafeteria and the parking lot becomes congested. The Blacksburg Middle School has a community room with an exterior entrance, therefore the general public will not come in contact with the students

Dean Dowdy, Secretary for the Electoral Board, was available to answer any questions from the Board. He also introduced Rosalie Paige, Chair; Cynthia Chappelka, Vice Chair; and Randy Wertz, Registrar.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Vickie Campbell addressed the Board with concerns of overcrowding and inadequate space at the Auburn Middle School. She indicated that the Auburn High School students have to share space at the high school with the middle school students due to the lack of space at the middle school. She urged the Board to place on the priority list a new middle school for the Auburn area.

Richard Shumaker addressed issues of overcrowding and inadequate space with the schools in the Auburn Strand. The Riner area is the fastest growing area in Montgomery County, both in terms of building permits and student populations. Mr. Shumaker believes investments in our children and in economic development will provide a return for the County. He urged the Board to provide the School Board with the money required to enhance education and consider capital investments in our schools to address needs.

Julie Snyder spoke in support of fully funding the Montgomery County Public Schools. According to the composite index, Montgomery County's ability to pay is increasing and what the County is actually funding is decreasing. The state average for local funding per student in FY 2003-2004 was \$4,408, expected funding was \$4,061, and the County's actual funding was \$3,295 per student. Over the past five years, under funding by the County amounted to \$25.5 million. This money could have been used for salaries, operating supplies, and needed capital investments. Ms. Snyder urged the Board to commit to fully funding the School and provide new schools for each strand now, not 5,10, or 15 years from now.

Charlie Bowles expressed concerns with the Virginia Department of Transportation's work in the Riner area the past few weeks. He submitted pictures of VDOT equipment parked on private property. Mr. Bowles also urged the Board to keep Riner a rural community.

Sherry Vaughn agreed with the previous speakers about the problems of overcrowding and lack of space at the Auburn Middle School. Ms. Vaughn stated the facility cannot keep up with the increased growth. She urged the Board to provide funding for the necessary renovations and/or construction of a new school in Auburn.

There being no further speakers, the public address session is closed.

DELEGATION

Virginia Department of Transportation

David Clarke, Resident Engineer, updated the Board on road issues in Montgomery County. Mr. Clarke reported that the change of traffic pattern at Tucker Road and McCoy Road intersection is working well. There is a no left turn onto Tucker Rd off McCoy Road.

Mr. Clarke reported a community meeting was held to discuss Yellow Suphur Road. Supervisor Marrs and the County Administrator attended to help answer questions and concerns and to obtain citizen input on road maintenance.

New River Land Trust

Beth Obenshain, New River Land Trust, updated the Board on the New River Land Trust activities and progress. The New River Land Trust seeks to protect farms, forests, the natural beauty, and cultural heritage of the New River region. The New River Land Trust will work with landowners and local governments to protect land. The region includes Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, and Wythe Counties and the cities of Galax and Radford.

In 2005, the New River Land Trust helped conserve 5,000 acres of land under easements in the 8 county region. There were nine landowners totaling over 1,100 acres in Montgomery County that put their property into land easements. This shows there is a growing interest in land conservation.

Ms. Obenshain thanked the Board for their support.

ADDENDUM

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously, the following addenda were added to the agenda:

INTO CLOSED MEETING

- (1) Discussion , Consideration or Interviews of
Prospective Candidates for Employment; Assignment, Appointment, Promotion,
Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers,
Appointees or Employees of Any Public Body
1. Adjustment & Appeals Board
 2. CPMT
 3. Industrial Development Authority
 4. Parks & Recreation Commission
 5. Transportation Safety Commission

NEW BUSINESS

Rezoning Request – Kim Ridpath and Donald Gatton

Rezone 0.5 acres from A-1 to CB to allow a barbershop and residential use,
Located at 3881 Riner Road
Riner Magisterial District

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
James D. Politis		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously, the Consent Agenda dated February 13, 2006 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Annette S. Perkins
James D. Politis		
John A. Muffo		
Gary D. Creed		
Doug Marrs		
Steve L. Spradlin		

Approval of Minutes

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously, the minutes dated November 16, November 28, and December 19, 2005 were approved.

A-FY-06-67 CLERK OF CIRCUIT COURT TECHNOLOGY TRUST FUND

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

250 Clerk of Circuit Court	\$12,730
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02250-423100 Shared Expenses	\$12,730

Said resolution appropriates Technology Trust fund monies to cover the cost of software maintenance for the Clerk's office.

A-FY-06-68
PARKS AND RECREATION
SIX MILE LOOP TRAIL
APPROPRIATION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

700	Parks and Recreation	\$1,410
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451203	Undesignated Fund Balance	\$1,410

Said resolution appropriates funds to cover the balance of the cost of the study and design of the proposed Six Mile Loop Trail.

A-FY-06-69
TREASURER
DMV STOP FEES APPROPRIATION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriations for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

162	Treasurer	\$14,064
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account:</u>		
02 411605	DMV Stop Fees	\$14,064

Said resolution appropriates DMV Stop Fees collected to pay the associated fee to the DMV.

A-FY-06-70
EMERGENCY SERVICES COORDINATOR
HOMELAND SECURITY GRANT

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

111	Emergency Services Coordinator Grants	\$87,841
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
02111-434401	Federal Grants	\$87,841

Said resolution appropriates Homeland Security grant funds.

A-FY-06-71
COMMONWEALTH'S ATTORNEY

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

220	Commonwealth's Attorney	\$336
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419104	Confiscations	\$336

Said resolution appropriates funding received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

A-FY-06-72
SHERIFF
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

310	Sheriff – Comp Board	\$ 2,828
320	Sheriff – County	\$27,395
321	Sheriff – Grants	<u>\$ 50</u>
	Total	\$30,273

The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$30,223
419117	Dare Program	<u>50</u>
	Total	\$30,273

Said resolution appropriates recovered costs from deputies working security, restitution for damage caused by inmates, refunds, and a DARE donation.

A-FY-06-73
SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

09	School Operating Fund	
61000	Instruction	\$200,108
64000	Operations and Maintenance	<u>194,560</u>
	Total	\$394,668

The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account:</u>		
09 433206	Gaps Education – Teaching American History Grant	\$114,738
09 424234	Special Education On Campus Transition Grant	<u>1,455</u>

09 419101	Other Payment – Homeless Grant	12,898
09 424290	Mentor Teacher Grant	10,280
09 433211	Medicaid Reimbursement – Special Ed	60,737
09 418302	Universal Service Discount	<u>194,560</u>
	Total	\$394,668

Said resolution appropriates additional funds for the School Operating Fund.

A-FY-06-74
SCHOOL – CIP PROJECTS
TRANSFER TO SCHOOL OPERATING FUND

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

02 451200	Transfer to School Operating Fund	\$714,766
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The source of funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$714,766
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Said resolution appropriates General Fund balance to provide the transfer to the School Operating Fund, which was appropriated by the Board of Supervisors through three separate resolutions in September 2005. This is for bookkeeping purposes only, no additional funding is being appropriated.

R-FY-06-108
TRANSPORTATION SAFETY COMMISSION
REPRESENTATIVE FOR
MONTGOMERY COUNTY PUBLIC SCHOOLS

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia reappoints Rebecca Mummau to the Transportation Safety Commission effective February 14, 2006 and expiring February 13, 2009.

R-FY-06-109
ANNETTE S. PERKINS
VACO CONFERENCE PLANNING COMMITTEE
AND TRANSPORTATION COMMITTEE

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, Supervisor Annette S. Perkins has been invited to serve on the Virginia Association of Counties= (VACo) Conference Planning Committee and on the Transportation Committee for calendar year 2006.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Perkins= participation on the Conference Planning Committee and the Transportation Committee.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Perkins for expenses arising from attendance at committee meetings.

R-FY-06-110
MARY W. BIGGS
VACO EDUCATION STEERING COMMITTEE
AND RESOLUTIONS COMMITTEE

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, Supervisor Mary W. Biggs has been invited to serve as Chair on the Virginia Association of Counties= (VACo) Education Steering Committee and to serve on the Resolutions Committee for calendar year 2006.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Biggs= participation as the Chair of the Education Steering Committee and on the Resolutions Committee

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Biggs for expenses arising from attendance at committee meetings.

R-FY-06-111
DOUG MARRS
VACO TRANSPORTATION STEERING COMMITTEE

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, Supervisor Doug Marrs has been invited to serve on the Virginia Association of Counties= (VACo) Transportation Steering Committee for calendar year 2006.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Marrs= participation on the Transportation Steering Committee.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Marrs for expenses arising from attendance at committee meetings.

NEW BUSINESS

ORD-FY-06-19
AN ORDINANCE AMENDING THE ZONING
CLASSIFICATION OF 0.5 ACRES
FROM AGRICULTURE (A-1) TO COMMUNITY BUSINESS (C-B)
KIM RIDPATH AND DONALD GATTON

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 0.5 acres is hereby amended and rezoned from the zoning classification of Agriculture (A-1) to Community Business (C-B) with the following proffered conditions:

1. Uses under the Community Business (CB) designation will be limited to the following:
 - a. Apartment as accessory use, maximum of two per business structure.
 - b. Pet, house-hold.
 - c. Retail sales and services, less than 3000 sq. ft.
 - d. Barbershop.

This action was commenced upon the application of Kim Ridpath and Donald Gatton.

The property is located at 3881 Riner Road, and is identified as Tax Parcel No. 119A-A-4 (Acct # 001732) in the Riner Magisterial District (District D). The property currently lies in an area designated as Village (Riner) in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Doug Marrs		
Mary W. Biggs		
John A. Muffo		
James D. Politis		
Steve L. Spradlin		

**R-FY-06-112
AMEND REVENUE SHARING PROJECTS
FOR FY 2005-2006**

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, By resolution dated March 14, 2005 the Board of Supervisors authorized the County Administrator to submit a letter of intent to participate in the "Revenue Sharing Program" and would provide \$251,500 for this program, to be taken from the General Fund for the fiscal year ending June 30, 2006 and to be matched on a dollar-for-dollar basis from funds of the Commonwealth of Virginia; and

WHEREAS, By resolution dated June 13, 2005 the Board of Supervisors amended the March 14, 2005 resolution and authorized an amount up to \$500,000 for the Revenue Sharing Program to be taken from the General Fund for the fiscal year ending June 30, 2006 and to be matched on a dollar-for-dollar basis from funds of the Commonwealth of Virginia and requested funds for the following projects:

- | | | |
|----|--|------------|
| 1. | Big Vein Road (P) Right-of-Way
Road Widening and Paved | \$ 73,000 |
| 2. | Fisher's View Road (SR 600) Improvement
to Upper End of Road | \$ 125,000 |
| 3. | Mt. Zion Road (SR 655) Improve Sight Distance
at 3298 Mt. Zion Road | \$ 20,000 |

4.	Yellow Sulphur Road (SR 643) Portion of the Project as Listed on the 6-Year Secondary Road Improvement Plan (Priority #8)	\$ 85,000
5.	Barn Road (SR 627) Realign Road and Improve the Grade to Meet a 35 mph Design Speed	\$ 200,000
6.	County Wide Paving	\$ 497,000
Total Estimated Project Costs:		\$1,000,000

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby amends the resolution dated June 13, 2005 as follows:

1.	Big Vein Road (P) Right-of-Way Road Widening and Paved	\$ 73,000
2.	Fisher's View Road (SR 600) Improvement to Upper End of Road	\$ 125,000
3.	Mt. Zion Road (SR 655) Improve Sight Distance at 3298 Mt. Zion Road	\$ 20,000
4.	Yellow Sulphur Road (SR 643) Portion of the Project as Listed on the 6-Year Secondary Road Improvement Plan (Priority #8)	\$ 85,000
5.	Barn Road (SR 627) Realign Road and Improve the Grade to Meet a 35 mph Design Speed	\$ 200,000
6.	Seven Mile Tree Road (F-059) Pave Road to VDOT Standards	\$ 100,000
7.	County Wide Paving	\$141,920
Total Estimated Project Costs		\$744,920

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
John A. Muffo		
Gary D. Creed		
Doug Marrs		
Mary W. Biggs		
Steve L. Spradlin		

R-FY-06-113
RESOLUTION OF THE BOARD OF SUPERVISORS OF
MONTGOMERY COUNTY, VIRGINIA WITH RESPECT TO
CONSTRUCTION OF TECHNOLOGY DRIVE EXTENSION BY
THE INDUSTRIAL DEVELOPMENT AUTHORITY OF
MONTGOMERY COUNTY, VIRGINIA

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia (**the “Board of Supervisors”**) that the Board of Supervisors hereby agrees that the Industrial Development Authority of Montgomery County, Virginia, (**the “Authority”**) is authorized to enter into a contract for the construction of the extension of Technology Drive, that is designed to serve both Lots 7 and 8 in the Falling Branch Corporate Park as detailed in the Falling Branch Corporate Park Industrial Access Road extension plans dated August 28, 2003, and revised November 13, 2003, with Sowers Construction Company in an amount not to exceed \$272,640.00, which is comprised of the \$255,822.50 estimate plus \$16,817.50 contingency.

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Authority is authorized to finance the road construction through the proceeds from the sale of Falling Branch Corporate Park Lot 7 amounting to \$147,640.00, through \$25,000.00 in funds provided by the Board of Supervisors, and up to an additional \$125,000.00 in financing obtained by the Authority from a local lending institution.

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Authority is hereby authorized to obtain a loan up to \$125,000 in financing from a local lending institution to be used towards the construction of Technology Drive Extension and to be repaid from the proceeds of the future sale of Lot 8.

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Board of Supervisors hereby agrees that should the Authority fail to repay the loan of \$125,000 plus interest in accordance with the terms of repayment, the Board of Supervisors acknowledge that to the extent permitted by law and subject to future appropriation by the Board of Supervisors, the County shall re-pay the Authority’s outstanding loan amount for the Construction of Technology Drive Extension.

This resolution shall take effect immediately.

ADOPTED THIS 13th DAY OF FEBRUARY, 2006.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
James D. Politis	None	Mary W. Biggs	Annette S. Perkins
John A. Muffo			
Gary D. Creed			
Doug Marrs			
Steve L. Spradlin			

Supervisor Biggs abstained due to acquiring stock in the potential financial institution to provide the financial lending.

INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Montgomery-Floyd Regional Library Budget
2. Health Insurance
3. FY 2006-2007 Budget
4. Schedule next budget work session

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Gary D. Creed		
Doug Marrs		
Mary W. Biggs		
James D. Politis		
Steve L. Spradlin		

Montgomery-Floyd Regional Library FY 06-07 Budget Proposal

Robert Benoit, MFRL Board member, introduced Ann Carter, MFRL Board member, and June Sayers, Library Management Team. Mr. Benoit reported that the library has seen a lot of progress over the years and believes a library is a very important part of the economy in a community. The library system in Montgomery County is seeing an increase in services every year. There are 38,194 current library card holders, with 645,560 items checked out.

Mr. Benoit reported that the Library of Virginia recommended minimum budget for library materials is \$2.46 per capita. Montgomery-Floyd Regional Library base budget for materials is \$1.56 per capita. The Library Board is requesting a \$150,000 increase for their collections and to convert two part-time employees to full-time positions. A decrease in the budget would relate to decreasing the hours the library is open, not operating the bookmobile, and decreasing the children programs.

Mr. Benoit thanked the Board for their continued support and urged the Board to fully fund the Library's budget.

Health Insurance

The Human Resources Director presented information on the County's Health Insurance for the upcoming fiscal year. Historical data was provided to show the percentage of increases over the past five years, ranging from 10% to 39%, with an average of 19%. The upcoming fiscal year, employees will likely see a 17% increase; however, numbers have not been finalized. The reason for the increase is high number of claims paid versus premiums paid in.

FY 2006-2007 Budget

The County Administrator provided several options for the Board to consider to help with the development of the FY 06-07 budget. Option 1 included no tax rate increase with base budget cuts; Option 2 included a 1 to 2 cent tax rate increase with base budget cuts; and Option 3 included a 3 to 4 cent tax increase with no base budget cuts. The County Administrator requested direction from the Board on funding priorities in order to help assist with the development of the budget that will address some of the needs of the County and the Schools.

Schedule Next Budget Work Session

By consensus, the Board scheduled the next budget work session for Monday, February 20, 2006 at 6:15 p.m.

The County Administrator was instructed to invite the School Board and the Sheriff to attend the work session in order to present their budget requests.

OUT OF WORK SESSION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Doug Marrs		
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Steve L. Spradlin		

COUNTY ATTORNEY'S REPORT

Liquor by the Drink The County Attorney discussed the process required before restaurants located in the unincorporated area could sell mixed drinks. The process requires a citizen initiated petition of qualified voters in the unincorporated area only; petition to be filed with the circuit court; and a referendum to be put on a general election. The petition can be county-wide or just by voting district.

Art Policy The County Attorney reported he is working on a County Art Policy for art being offered for display at County facilities.

COUNTY ADMINISTRATOR'S REPORT

Christiansburg Rescue Squad – Riner Satellite Station The County Administrator reported the Construction Director hired to oversee the construction project of the Riner Satellite Station needs additional time to complete the job. He asked the Board for approval to extend the Construction Director's job until the construction process is complete. By consensus, the Board gave the County Administrator authorization to extend the timeframe.

BOARD MEMBERS' REPORT

Supervisor Biggs Board Retreat - Supervisor Biggs polled the Board members to determine if and when they would like to hold a Board Retreat. All Board members agreed a Board retreat is needed in the near future. Topics of discussion included: real estate assessment, cash proffers, customer service, develop a relationship with Virginia Tech, and future goals. It was determined that a retreat should be held in late summer or early fall after the cash proffer study is complete and recommendations received.

Supervisor Muffo reported that the New River Community Services Board is re-advertising the position of the Community Services Director.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Adjustment & Appeals Board
2. CPMT
3. Industrial Development Authority
4. Parks & Recreation Commission
5. Transportation Safety Commission

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Doug Marrs		
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Steve L. Spradlin		

OUT OF CLOSED MEETING

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Gary D. Creed		
Steve L. Spradlin		

CERTIFICATION OF CLOSED MEETING

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs
James D. Politis
John A. Muffo
Gary D. Creed
Doug Marrs
Steve L. Spraldin

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins

ABSENT DURING MEETING

Annette S. Perkins

ADJOURNMENT

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously, the Board adjourned to Monday, February 20, 2006 at 6:15 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Gary D. Creed		
Steve L. Spradlin		

The Board adjourned at 11:35 p.m.

APPROVED: _____	ATTEST: _____
Steve L. Spradlin Chair	B. Clayton Goodman County Administrator